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C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 000309

SIPDIS

USSOUTHCOM ALSO FOR POLAD  
DEPARTMENT PASS TO AID/OTI (RPORTER)

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SUBJECT: STUDENT LEADER NIXON MORENO FLEES HOLY SEE MISSION

REF: 08 CARACAS 1374 AND PREVIOUS

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Classified By: POLITICAL COUNSELOR FRANCISCO FERNANDEZ, REASON 1.4 (D)

11. (C) Summary. Early on March 9, former student leader Nixon Moreno fled the Holy See Mission in Caracas, where he had been sheltered for almost two years. The 35-year-old opposition activist was granted political asylum from the Holy See in June 2008, following his plea for political asylum and protection by the Vatican in 2007. The Government of the Bolivarian Republic of Venezuela (GBRV) has been pressing criminal charges against Moreno related to his alleged assault of a police officer on the margins of the 2006 student elections at the University of the Andes (ULA) in Merida. The GBRV refused to provide Moreno's safe passage out of the country. The GBRV has notified Interpol of the outstanding arrest warrant against the student leader, considered a fugitive of justice under Venezuelan law. Moreno's exact whereabouts remain unknown, but the GBRV is already exploiting his "escape" to continue its criticism of the Catholic Church. End Summary.

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MORENO FLEES SAFETY OF VATICAN MISSION  
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12. (SBU) During the early morning hours of March 9, opposition student leader Nixon Moreno reportedly left the relative safety of the Holy See Mission in Caracas after nearly two years refuge there. Moreno, who requested protection by the Vatican on March 13, 2007, was granted political asylum from the Holy See in June 2008 (Reftel). GBRV prosecutors accuse Moreno of fomenting violence at the autonomous Los Andes University (ULA) in the western state of Merida during 2006 student demonstrations protesting a decision by the court to suspend student elections. In what many consider to be trumped up charges, Moreno is also accused of the attempted rape of a female police officer during the 2006 upheaval. The Vatican, which investigated the allegations against Moreno before granting him asylum, concluded the charges were fabricated. Following the Vatican's decision to grant Moreno asylum, the GBRV refused to provide safe passage out of the country to the student leader, insisting that Moreno should instead be handed over to the Venezuelan justice system to stand trial.

13. (SBU) Tamara Suju, Moreno's lawyer, told the media that her client left the Holy See Mission sometime in the evening hours of March 8, or the early morning hours of March 9. Suju said Moreno "left for strictly personal reasons and

wanted to express his eternal gratitude to those who helped him." In a March 10 radio interview, Suju said Moreno feared that pro-government supporters would try to forcibly extricate him from the diplomatic mission. She noted that the extra security that the GBRV provided for the mission before the February 15 referendum was removed without explanation on March 5. Chavistas have thrown explosive devices and tear gas canisters at the Holy See Mission several times over the last few years. Representatives of the Nuncio immediately reportedly phoned Moreno's lawyers and the Foreign Ministry to report his departure and express "their concern for Moreno's safety, because Nixon Moreno is in the streets and we don't know where he is and he has not communicated with us."

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GBRV SEEKS MORENO'S CAPTURE  
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¶4. (SBU) GBRV officials immediately criticized Moreno's escape. Minister of Interior and Justice Tarek al Aissami informed local media on March 10 that Nixon Moreno is considered a fugitive under Venezuelan law. He added that the GBRV also issued via Interpol detention requests to all 187 member-states, including the Vatican. At a March 10 press conference, Information Minister Jesse Chacon said "Mr. Nixon Moreno is not being judged for political crimes; he is being judged for attempted rape." National Assembly President Cilia Flores publicly referred to Moreno as a "criminal" and insisted that Venezuelan authorities activate "all possible mechanisms for his capture." Guarico State Governor William Lara accused "networks associated with the United States" of being accomplices in Moreno's escape, according to the local media. Pro-government daily, "Diario Vea" led the papers on March 10 with a front-page article featuring Nixon Moreno dressed in a prison uniform with the

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headline "Complicity of the Papal Nuncio; Nixon Moreno escaped dressed as a priest."

¶5. (C) Comment. The charges against Moreno are widely perceived to be politically motivated. Ironically, the main rival of the 2006 student movement led by Moreno at ULA was a "Bolivarian" student group led by current Minister of Interior and Justice Tarek al Aissami, and Moreno defeated al Aissami in student elections in 2002. Venezuelan officials and state media have criticized the Vatican vehemently for its decision to grant Moreno political asylum. The sudden departure of Moreno from the Vatican Mission is already straining further the relationship between the GBRV and the Catholic Church. Moreno's exact whereabouts or methods of escape remain unknown. Moreno's lawyer publicly discounted a rumor that the former student leader fled to Peru. End Comment.

CAULFIELD